

MPAs AND ENFORCEMENT

MODULE 8 FIELD SITE

8.1 FIELD SITE VISIT

Hon Mun MPA

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Planning Flowchart

Sample Plan Outline

Acknowledgements

The majority of information presented in this module is drawn from the following publication:

Department of Environment and Natural Resources, Bureau of Fisheries and Aquatic Resources of the Department of Agriculture, and Department of the Interior and Local Government. 2001. *Philippine Coastal Management Guidebook No. 8 Coastal Law Enforcement*. Coastal Resource Management Project of the Department of Environment and Natural Resources, Cebu City, Philippines. 164p. www.oneocean.org (PH-8, 2001)

LEARNING OBJECTIVES

- ✓ To provide onsite experience of law enforcement and interpretive enforcement programs
- ✓ To demonstrate the framework and considerations for developing an effective enforcement plan
- ✓ To develop a framework for enforcement that includes both interpretive and law enforcement

LESSON PLAN

Discussion— Review and Discuss

On the way to the field site, discuss and review yesterday's topics.

8.1 FIELD SITE VISIT

Exercise 8.1 — Field Site Visit to Hon Mun MPA

- *Receive Hon Mun Enforcement Plan*

8.2 ENFORCEMENT PLANNING

Enforcement Approaches Review

A balanced enforcement program will combine interpretive and traditional law enforcement approaches. The key strategies in planning enforcement programs to address common violations of coastal laws include:

- Social marketing to increase awareness and encourage reporting of violations of national and coastal laws occurring in the coastal zone, local waters, and in or near MPAs
- Social mobilization to increase participation of coastal communities in coastal resources assessments, planning, and monitoring and evaluation
- Transparent local legislation and regulations that allow local governments to establish coastal resources management as a basic service
- Monitoring and evaluation to determine the effectiveness of coastal law enforcement programs within the larger system of coastal resources management
- Seaborne operations in local waters to establish law enforcement presence, conduct inspections, and identify and apprehend violators

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- Land-based operations in fishing villages, fish landings, ports and harbors, fish markets, and other places in municipalities and cities to establish law enforcement presence and to identify and apprehend violators

Enforcement Planning Considerations

Community-based planning – the *participatory* process of planning, implementing and monitoring sustainable uses of coastal resources through collective action and sound decision-making. A big part of good planning is a **participatory coastal resource assessment (PCRA)** – this is a planning process in which communities can be actively involved in cataloguing and mapping coastal uses. A PCRA process also brings together multiple stakeholders to jointly identify and prioritize resource use.

Effective legislation and regulation – local laws need to be legally sound and carry popular support. A law is unlikely to please all people at all times, but local authorities should make the reasons behind the law clear. This ties directly back to the second guiding principle of social marketing for voluntary compliance with the law.

Monitoring and evaluation – this helps law enforcement planners determine the effectiveness of their enforcement strategies. Information collected during monitoring programs can be used to make adjustments to enforcement plans with the goal of increased compliance with coastal laws. Monitoring information can come from local government records, police blotters, stakeholder discussion groups or quantitative field assessment.

Information management – the information collected through monitoring and evaluation needs to be organized and easily accessible to local authorities and managers. This could involve a number of different tools, but will probably involve some type of database. A sample of some fields of information about coastal law enforcement for the database could be:

Report year	# deputized enforcement team members	# patrol boats that are operational	Average frequency of patrol 1 – low (once/month or less), 2 – medium (weekly), 3 – high (daily)	# apprehensions	# cases filed	# convictions	Source

Handout 8.1: Monitoring Indicators and Methods Applicable to Coastal Law Enforcement

Discussion – Monitoring Your Enforcement Program

Why is monitoring your enforcement program important? Which of the example indicators in the handout are the most feasible to collect? Is any of this information already collected in your MPA or coastal area?

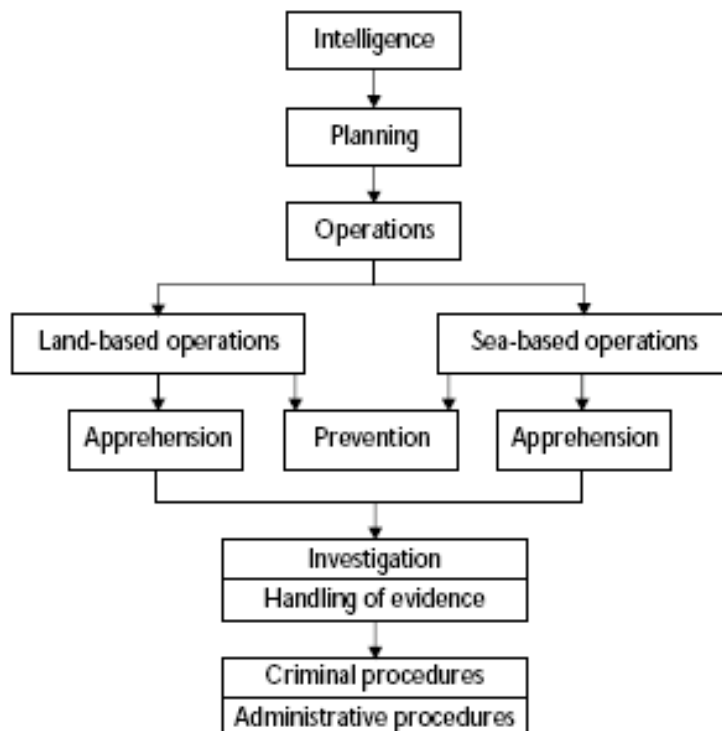
Handout 8.2: Sample Coastal Law Enforcement Survey

Exercise 8.2— Coastal Law Enforcement Survey

1) Individually fill out the survey and compare with your neighbor.

8.3 ENFORCEMENT PLANNING FRAMEWORK

Enforcement planning is a process that organizes intelligence that has been gathered together with the personnel and resources required to conduct efficient and effective coastal law enforcement operations.



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Intelligence is information needed by coastal law enforcers to make decisions, reduce uncertainty, cope with changing situations, and preempt compromise, and is important to the planning and conducting of successful coastal law enforcement operations (PH-8, 2001). The planning process for coastal law enforcement will in turn determine the need for additional intelligence that will need to be collected, either to establish baseline information or to be used in monitoring coastal law enforcement. Intelligence is shared between authorized personnel in appropriate offices or enforcement teams.

Intelligence can be grouped into three levels – strategic, operational, and tactical – depending on its purpose, scope, and detail.

Strategic intelligence is required for large-scale planning and policy decisions at national or international levels.

Operational intelligence is required for planning and executing all types of operations, and details the nature of violations as well as the location, timing, and suspected persons involved with illegal activities.

Tactical intelligence is required for the planning and execution of specific or special operations. Part of the enforcement planning process is to make an **operation plan (OPLAN)** so that there is one document that all participating coastal law enforcement units follow.

A sample outline of elements in a typical operations plan for coastal law enforcement is shown on the next page. An OPLAN may not be as detailed as the following, but will contain each section as required by a specific situation.

1. **Situation:** provides a background on relevant information needed to describe the area and coastal law enforcement issues for which the plan is developed to address.
2. **Mission:** describes the overall objective of the plan.
3. **Execution**
 - a. **Concept of operations:** contains an overview of the plan.
 - b. **Surface operations:** describes sea borne tactics to be employed by single or multiple enforcement units.
 - c. **Land-based operations:** describes land-based tactics to be employed by single or multiple enforcement units.
 - d. **Tasking:** describes the roles and responsibilities of agencies and organizations involved in the operations.
 - e. **Coordinating instructions:** provides instructions to all units on rules of engagement, safety, human rights, uniform requirements, and responsibility for confiscated items.
4. **Administration and logistics:** provides a comprehensive plan for the maintenance and upkeep of the units involved during the operation. Matters of food, fuel, crew relief, medical assistance, and unit repair procedures are outlined.
5. **Command and signal:** describes the chain of command for the operation.
 - a. **Task organization:** provides organizational structure and tasking for the operations including: Patrol Commander, Senior Watch Officer, Assistant Senior Watch Officer, Public Information Officer, On-Scene Commander, and law enforcement units.
 - b. **Security plan:** describes how the OPLAN will be protected against compromise and includes security classification if applicable.
 - c. **Asset list:** lists the capabilities and endurance of all assets available for the conduct of coastal law enforcement operations.
 - d. **Intelligence plan:** describes all methods of gathering intelligence. Informant's code names, locations, and reporting procedures are given. Any other intelligence instruments are listed here along with their function. This section may require a higher classification than the rest of the OPLAN and may need to be developed as a separate document.
 - e. **Reports plan-required report:** lists types of reports required before, during, and after operations including Actual Departure Report (ADR), Position Report (POSTREP, every 4 hours), Actual Arrival Report (AAR), Spot Report (after any significant event), Progress Report (after every significant development on each case), and After Operation Report (AOR) (comprehensive report after operation is completed)
 - f. **Communications plan:** contains the radio frequencies to be used, codes, daily changes to the codes, and back-up frequencies if needed.
 - g. **Map:** provides maps of appropriate scales to show overall area of operation and subsectors if appropriate.

Distribution: lists the names and locations of each copy of the OPLAN

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It is important to share the OPLAN between all relevant stakeholders, such as coastal law enforcement personnel, MPA management, and local government authorities. A comprehensive plan for law enforcement will be useful in organizing and training enforcement teams, as well as monitoring and adjusting enforcement ability. The plan should cover operational tactics depending on capacity and on the specific violations or issues to be addressed. In addition to methods of interpretive enforcement, an OPLAN is an essential component of an effective enforcement program.

Exercise 8.3- Enforcement Plans

Develop framework for site-specific enforcement plan (hand out framing model and refer to site profile built on day 2 for zoning plan).